

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

January 15, 2004

IN RE:

**TARIFF TO REMOVE MEMORYCALL/VOICE MAIL
FROM THE GENERAL SUBSCRIBER SERVICES TARIFF
AND THE D2 INTRA-STATE PRICE LIST – TARIFF
NUMBER 2003-1273**

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**DOCKET NO.
03-00616**

ORDER APPROVING TARIFF

This matter came before Chairman Deborah Taylor Tate, Director Pat Miller, and Director Ron Jones of the Tennessee Regulatory Authority (the “TRA” or “Authority”), the voting panel assigned to this Docket, at a regularly scheduled Authority Conference held on December 15, 2003 for consideration of BellSouth Tariff 2003-1273 to Remove Memory Call and Voice Mail from the General Subscriber Services Tariff and the D2 Intra-State Price List.

Background

On May 5, 2003, in Docket No. 03-00230, the TRA found that voice mail is an information, rather than telecommunications, service. Pursuant to this finding, BellSouth filed on November 17, 2003 its Tariff 2003-1273 to Remove Memory Call and Voice Mail from the General Subscriber Services Tariff and the D2 Intra-State Price List, to be effective December 17, 2003, claiming that the services are unregulated by the TRA.

Pursuant to the authority of Tenn. Code Ann. § 65-5-202, TRA Rule 1220-4-1-.03(a) requires all rates and charges for every class of service offered in the State of Tennessee to be

tariffed. Under TRA Rule 1220-1-1-.05, the TRA is permitted to waive the requirements of this rule for good cause.¹


December 15, 2003 Authority Conference

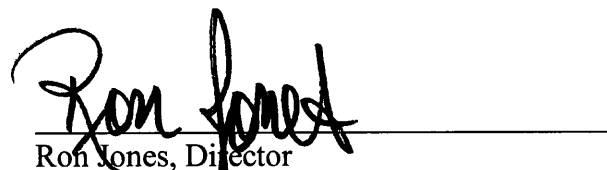
At the December 15, 2003 Authority Conference, the Panel voted unanimously to approve BellSouth Tariff 2003-1273, thereby implicitly waiving the tariffing requirement of TRA Rule 1220-4-1-.03(a).

IT IS THEREFORE ORDERED THAT:

The BellSouth Tariff 2003-1273 to Remove Memory Call and Voice Mail from the General Subscriber Services Tariff and the D2 Intra-State Price List is approved.


Deborah Taylor Tate, Chairman


Pat Miller, Director


Ron Jones, Director

¹ See *Petition of Global Tel*Link Corporation for a One-Time Waiver of TRA Rule 1220-4-2-.58* (TRA Docket No. 02-00700).